

ROUTING AND TRANSMITTAL SLIP

8 Jul 81

TO: (Name, office symbol, room number, building, Agency/Post)	Initials	Date
1. COL Kennedy	<i>[Signature]</i>	8 July
2. BG Wilmot	<i>[Signature]</i>	8 July
3. COL Lamb	<i>[Signature]</i>	8 JUL
4. MG Thompson	<i>[Signature]</i>	11 JUL
5. MAJ O'Keefe (ISH)		

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Coordination	Justify	

REMARKS

1. Ref ZA GRILL FLAME query, attached note.

2. The DoD General Counsel, Mr. Taft, decided that the "human use" issue currently stalling Army participation in GRILL FLAME contracts will be decided as a human use or non-human use issue for all DoD. Army General Counsel was requested to submit a final opinion on the human use issue to DoD ASAP. Mr. Hatch, Office of the AGC, will meet with BG Rapmund, Chief of the Human Subjects Review Board, on 9 Jul to solicit his final determination whether or not Army participation in GRILL FLAME involves human use. BG Rapmund's response will form the basis for the Army GC reply to Mr. Taft.

3. If Mr. Taft rules that the DoD GRILL FLAME effort
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does not involve human use, one of the following can occur:

a. AGC will accept the ruling, inform the SA and INSCOM money will be sent to DIA for contract of SRI services.

b. AGC will not accept the DoD ruling, will inform SA of that fact and will advise ACSI to enter into a unilateral contract with SRI ensuring that the human use requirements of Procedure 18 are observed.

4. The bottom line is, once again, we can expect at least a one week delay in the lawyers trying to resolve an issue they have been grappling with since Nov 80.

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